



Grant County
WATER CONSERVANCY BOARD
Application for Change/Transfer
Record of Decision

For Ecology Use Only

Received:

Date Stamp

Reviewed by: _____
Date Reviewed: _____

Applicant: Public Utility District No. 2 of Grant County

Application Number: GRAN-11-13

This record of decision was made by a majority of the board at an open public meeting of the Grant County Water Conservancy Board held on November 23, 2011. The undersigned board commissioners certify that they each understand the board is responsible "to ensure that all relevant issues identified during its evaluation of the application, or which are raised by any commenting party during the board's evaluation process, are thoroughly evaluated and discussed in the board's deliberations. These discussions must be fully documented in the report of examination." [WAC 173-153-130(5)] The undersigned therefore, certifies that each commissioner, having reviewed the report of examination, knows and understands the content of the report.

☐ **Approval:** The Grant County Water Conservancy Board hereby **grants** conditional approval for the water right transfer described and conditioned within the report of examination on November 23, 2011 and submits this record of decision and report of examination to the Department of Ecology for final review.

☐ **Denial:** The Grant County Water Conservancy Board hereby **denies** conditional approval for the water right transfer as described within the report of examination on November 23, 2011 and submits this record of decision to the Department of Ecology for final review.

Signed:

Ron Baker
Ron Baker, Chair
Grant County Water Conservancy Board

Date: Nov 23, 2011

Approve ☒
Deny ☐
Abstain ☐
Recuse ☐
Other ☐

Keith Ellis
Keith Ellis, Commissioner
Grant County Water Conservancy Board

Date: Nov-23-2011

Approve ☒
Deny ☐
Abstain ☐
Recuse ☐
Other ☐

David Stevens
David Stevens, Commissioner
Grant County Water Conservancy Board

Date: NOV 23-2011

Approve ☐
Deny ☐
Abstain ☐
Recuse ☒
Other ☐

Ken Enns
Ken Enns, Alternate
Grant County Water Conservancy Board

Date: Nov 23, 2011

Approve ☒
Deny ☐
Abstain ☐
Recuse ☐
Other ☐

(Name), (Title)
(Board Name) Water Conservancy Board

Date: _____

Approve ☐
Deny ☐
Abstain ☐
Recuse ☐
Other ☐

Mailed with all related documents to the Dept of Ecology Eastern Regional Office, and other interested parties on _____.

If you have special accommodation needs or require this form in alternate format, please contact 360-407-6607 (Voice) or 711 (TTY) or 1-800-833-6388 (TTY).

Ecology is an equal opportunity employer



Grant County
WATER CONSERVANCY BOARD
Application for Change/Transfer
OF A RIGHT TO THE BENEFICIAL USE OF THE PUBLIC WATERS OF
THE STATE OF WASHINGTON

RECEIVED

NOV 28 2011

DEPARTMENT OF ECOLOGY
EASTERN REGIONAL OFFICE

Report of Examination

NOTE TO APPLICANT: Pursuant to WAC 173-153-130(8), the applicant is not permitted to proceed to act on the proposal until Ecology makes a final decision affirming, in whole or in part, the board's recommendation. It is advised that the applicant not proceed until the appeal period of Ecology's decision is complete.

☐ Surface Water ☒

Ground Water

DATE APPLICATION RECEIVED August 11, 2011	WATER RIGHT DOCUMENT NUMBER (i.e., claim, permit, certificate, etc.) G3-01590C	WATER RIGHT PRIORITY DATE April 15, 1970	BOARD-ASSIGNED CHANGE APPLICATION NUMBER GRAN-11-13
--	---	---	--

NAME Public Utility District No. 2 of Grant County			
ADDRESS (STREET) P.O. Box 878	(CITY) Ephrata	(STATE) WA	(ZIP CODE) 98823

Changes Proposed: ☐ Change purpose ☐ Add purpose ☐ Add irrigated acres ☐ Change point of diversion/withdrawal
☒ Add point of diversion/withdrawal ☒ Change place of use ☐ Other (Temporary, Trust, Interties, etc.)

SEPA

The board has reviewed the provisions of the State Environmental Policy Act of 1971, Chapter 43.21C RCW and the SEPA rules, chapter 197-11 WAC and has determined the application is: ☒ Exempt ☐ Not exempt

BACKGROUND AND DECISION SUMMARY

Existing Right (Tentative Determination)

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE 300	MAXIMUM ACRE-FT/YR 120	TYPE OF USE, PERIOD OF USE Municipal Water Supply Purposes – March 1 st to October 31 st				
SOURCE MC&S Well			TRIBUTARY OF (IF SURFACE WATER)				
AT A POINT LOCATED: PARCEL NO. 150143000	¼ NE	¼ SW	SECTION 36	TOWNSHIP N. 14N	RANGE 23E	WRIA 36	COUNTY. Grant
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS USED The SW¼ of Section 36, T. 14N., R. 23 E.W.M., AND the SW¼ NW¼, N½ SW¼, W½ SE¼, and SE¼ SE¼ of Section 1, T. 13N., R. 23E.W.M., AND Government Lots 1, 2 and 5 of Section 2, T. 13 N., R. 23 E.W.M.; ALL LESS rights way, Grant County, WA.							
PARCEL NO. multiple	¼	¼	SECTION within 36 1 and 2	TOWNSHIP N. 14N 13N	RANGE 23E 23E		

Proposed Use

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE 300	MAXIMUM ACRE-FT/YR 120	TYPE OF USE, PERIOD OF USE Municipal Water Supply Purposes – March 1 st to October 31 st				
SOURCE Powerhouse Well MC&S Well Wanapum Indian Village Well No.1 Wanapum Indian Village Well No. 2 MC&S Additional Well			TRIBUTARY OF (IF SURFACE WATER)				
AT A POINT LOCATED: PARCEL NO. 150031000 150143000 23130232001 23130321001 150141000	¼ NE NW	¼ SW SW	SECTION 2 36 2 3 35 and 36	TOWNSHIP N. 13N 14N 13N 13N 14N	RANGE 23E 23E 23E 23E 23E	WRIA 36 36 40 40 36	COUNTY. Grant Grant Yakima Yakima Grant
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED See Attachments A and B.							

PARCEL NO.	1/4	SECTION	TOWNSHIP N.	RANGE,
multiple		within		
		35 and 36	14N	23E
		1, 2, 3, 11 and 12	13N	23E
		6 and 7	13N	24E

Board's Decision on the Application

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE				
	300	120	Municipal Water Supply Purposes – March 1 st to October 31 st				
SOURCE			TRIBUTARY OF (IF SURFACE WATER)				
Wells – Including the Powerhouse Well, MC&S Well, Wanapum Indian Village Well No. 1, Wanapum Indian Village Well No.2, and MC&S Additional Well located within the area described below							
AT A POINT LOCATED: PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY
150031000,	S ¾	E ½	35	14N	23E	36	Grant
150143000,	S ¾	W ½	36	14N	23E	36	Grant
23130232001,			2	13N	23E	36 and 40	Grant and Yakima
23130321001, and			3	13N	23E	40	Yakima
150141000							
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED AS APPROVED BY THE BOARD							
<p>The place of use (POU) of this water right is the service area described in the most recent Water System Plan/Small Water System Management Program approved by the Washington State Department of Health (DOH), so long as the water system is and remains in compliance with the criteria in RCW 90.03.386(2). RCW 90.03.386(2) may have the effect of revising the place of use of this water right.</p> <p>The current DOH approved service area for the Priest Rapids Water Systems Comprehensive Plan is shown on the map in Attachment A. The metes and bounds legal description provided in Attachment B is intended to match the boundary as depicted on the map in Attachment A. All dimensions were taken from surveyed or identified boundaries from the 1955 FERC Project Exhibit K Sheets 1, 2, 3, 4 and 19.</p>							
PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE,		
multiple			within				
			35 and 36	14N	23E		
			1, 2, 3, 11, and 12	13N	23E		
			6 and 7	13N	24E		

DESCRIPTION OF PROPOSED WORKS

The Priest Rapids Water Systems will consist of one or two (one on each side of the river) distribution systems. Each system will have one or more wells, storage facilities, and water treatment facilities as necessary.

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE:	COMPLETE PROJECT BY THIS DATE:	COMPLETE CHANGE AND PUT WATER TO FULL USE BY THIS DATE:
Not Applicable	Not Applicable	Not Applicable*

* Since this water right is for municipal water supply purposes according to RCW 90.03.015 and is a water right in good standing according to RCW 90.03.330, a superseding certificate for the entire instantaneous and annual quantity shall be issued after completion of the appeal period for this report of examination.

REPORT

BACKGROUND [See WAC 173-153-130(6)(a)]

On July 26, 2011, the Department of Ecology (Ecology) pursuant to RCW 90.03.560 conformed Water Right document number G3-01590C and issued a Superseding Certificate of Water Right identifying such right as being for municipal water supply purposes as defined in RCW 90.03.015.

Grant PUD qualifies as a municipal water supplier under RCW 90.03.015. Furthermore, RCW 90.03.330(2) and (3) state that if a water right is classified as being for municipal purposes, "...the department shall not revoke or diminish a certificate for a surface or ground water right for municipal water supply purposes as defined in RCW 90.03.015 unless the certificate was issued with ministerial errors or was obtained through misrepresentation." Since there is no evidence of ministerial errors or misrepresentation, Grant PUD's water rights are considered in good standing for their full listed instantaneous and primary annual quantities.

On August 11, 2011, Public Utility District No. 2 of Grant County (Grant PUD) of Ephrata, Washington, filed an application for change to add additional points of withdrawal and change the place of use under groundwater certificate G3-01590C. The application was accepted at an open public meeting on August 25, 2011, and the board assigned application number GRAN-11-13.

Attributes of the water right as currently documented

Name on certificate, claim, permit: Public Utility District No. 2 of Grant County

Water right document number: G3-01590C (Superseding Certificate of Water Right)

Priority date, first use: April 15, 1970

Water quantities: Qi: 300 gallons per minute (gpm) Qa: 120 acre-feet per year (afy)

Source: Well

Point of diversion/withdrawal: 870 feet west and 75 feet south of the center of Section 36, Township 14 North, Range 23 East, W.M.

Purpose of use: Municipal Water Supply purposes

Period of use: March 1st to October 31st

Place of use: The SW $\frac{1}{4}$ of Section 36, T. 14N., R. 23 E.W.M., AND the SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ of Section 1, T. 13N., R. 23E.W.M., AND Government Lots 1, 2 and 5 of Section 2, T. 13 N., R. 23 E.W.M.; ALL LESS rights way, Grant County, WA.

Existing provisions:

Superseding Certificate – All conditions and requirements contained in reports of examination or permits previously issued apply to this superseding certificate unless specifically noted below.

Superseding Certificate – This right has been conformed to Municipal Water Supply Purposes in accordance with RCW 90.03.560.

Superseding Certificate, Certificate, and Superseding Permit – An approved measuring device shall be installed and maintained in accordance with RCW 90.03.360 and/or WAC 508-64-020 through WAC 508-64-040.

Superseding Certificate, Certificate, and Superseding Permit – If water from facilities of any legally formed irrigation district is used on any or all of the lands described herein as the place of use, the quantities of water withdrawal under this authorization shall be proportionately reduced to correspond to the acreage for which district water is not available.

Superseding Certificate – The right to use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in RCW 90.03.380, 90.03.390, and 90.44.100.

Superseding Certificate — This superseding certificate of water right is specifically subject to relinquishment for non-use of water as provided in Chapter 90.14 RCW.

Certificate – If water from facilities of any legally formed irrigation district is used on any or all of the lands described herein as the place of use, the quantities of water withdrawal under this authorization shall be proportionately reduced to correspond to the acreage for which district water is not available.

Certificate – The right to use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in RCW 90.03.380, 90.03.390, and 90.44.020.

Certificate – This certificate of water right is specifically subject to relinquishment for non-use of water as provided in RCW 90.14.180.

Superseding Permit and Permit – This permit shall be subject to cancellation should the permittee fail to comply with the above development schedule and/or fail to give notice to the Department of Ecology on forms provided by that Department documenting such compliance.

Permit & ROE – This permit authorizes the withdrawal of public ground waters within the exterior boundaries of the Columbia Basin Irrigation Project based on a conditional determination that public waters are available for beneficial use, and is issued subject to review and final determination by the Department of Ecology as to the availability of public ground waters based upon conclusions to be derived from a comprehensive, quantitative ground water study now in progress and scheduled for completion on or before December 31, 1972. No Certificate of Water Right, as provided by RCW 90.44.080, will issue under this permit prior to the above scheduled completion date of the comprehensive water study nor until a final determination is made by the Department of Ecology as to the availability of public ground waters. Further, this permit is issued subject to any prior right to artificially stored ground water which may be established by declaration as provided in RCW 90.44.130. By acceptance of this permit permittee expressly consents to this provision.

Permit & ROE – A suitable measuring device shall be installed and maintained in accordance with WAC 508-64-020 through WAC 508-64-040.

Permit & ROE – Water allocated for irrigation purposes in this permit may be used until such time as permittee or his successor in interest enters into a contract with an irrigation district and the Bureau of Reclamation and receives water through Project facilities for all or a portion of the lands described herein as the place of use. At that time, volumetric withdrawal shall be proportionately reduced to correspond to the acreage which is not to be served by Project waters.

Permit & ROE – This well is subject to closure at any time the above provisions are not complied with to the satisfaction of the Department of Ecology.

Water Right Document History

On April 15, 1970, Grant PUD applied to the Department of Water Resources for a ground water right to appropriate 400 gpm and 120 afy for domestic supply and irrigation. The water right application was assigned number 10785. The applicant indicated that this application will replace existing water rights under Ground Water Certificate 2739.

On December 2, 1970, an ROE was issued to Grant PUD. The ROE approved the withdrawal of 300 gpm and 120 afy for irrigation of 30 acres from March 1 to October 31 from a well in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 36, T14N, R23E, W.M. Language in the ROE indicates that the purpose of use of this authorization does not include community domestic supply as that purpose of use was already included on GWC 2739, which is appurtenant to the same lands.

On January 8, 1971, Ground Water Permit 10052 was issued to the Grant PUD. The permit was granted for withdrawal of 300 gpm and 120 afy for irrigation of 30 acres from March 1 to October 31.

On February 4, 1971, R.W. Gillette signed a Proof of Appropriation (PA) form. All attributes attested to were consistent with the quantities listed on the permit.

On June 7, 1982, superseding Ground Water Permit 10052 was issued to Grant PUD. This superseding permit contained the same attributes as the original permit; the only difference was the removal of a provision. This superseding permit was issued after Ecology determined that even though the well was located within the exterior boundaries of the Federal Columbia Basin Irrigation Project, it was appropriating waters derived from bank storage of the Columbia River (public ground waters) and not groundwater attributable to the development of the Columbia Basin Irrigation Project (federal artificially stored groundwater).

Therefore, the provisions of Washington Administrative Code (WAC) 508-14 were determined to not apply and were removed.

On October 8, 1982, Ecology issued Ground Water Certificate G3-01590C to Grant PUD.

On July 26, 2011, Ecology issued Superseding Ground Water Certificate G3-01590C to Grant PUD changing the purpose to “municipal water supply purposes” in response to a request by Grant PUD to conform the document under RCW 90.03.560. The superseding certificate contains the attributes documented in the preceding section.

Tentative determination of the water right

The tentative determination is provided on the front page of this report.

History of water use

On November 4, 1955, the Federal Energy Regulatory Commission (FERC) issued the initial 50-year term license to Grant PUD to construct and operate Priest Rapids Dam.

The point of withdrawal of this water right includes both GWC 2739 and G3-01590C, and there is only a source meter. Total withdrawal from the MC&S well is shown in **Table 1**. Initially, water was distributed through a distribution system along the Spawning Channel for irrigation of a row of trees that were planted along the channel to provide a wind break and shade cover for fish within the channel. Today, G3-01590C supports landscape irrigation around the existing Fall Chinook hatchery (Incubation Building) that was constructed under Grant PUD’s FERC license.

The MC&S Well was drilled in 1956 under water right GWC 2739. Water use under G3-01590C commenced upon obtaining that water right. The MC&S Well pumps at a rate of 400 gpm. Metering data for 1971 was found in the water right file for GWC 3784-A. A new flow meter was installed in 2002 and **Table 1** summarizes yearly water consumption based on metering at the MC&S Wellhead.

Table 1
MC&S Well Yearly Withdrawal Summary

MC&S	Withdrawal		Certificates (acre-feet)
	(gallons)	(acre-feet)	
1971	11,146,100 ¹	34.2 ¹	210
2002	3,820,900	11.7	210
2003	4,207,200	12.9	210
2004	4,755,400	14.6	210
2005	4,545,700	14.0	210
2006	3,939,400	12.1	210
2007	5,164,600	15.9	210
2008	6,188,400	19.0	210
2009	5,820,862 ²	17.9 ²	210
2010	5,488,226	16.8	210

¹ Meter installed March 1971
² Missing from 6/29 through 7/23 due to meter failure

Although water use has been uneven at different times, Grant PUD has demonstrated good faith and due diligence in exercising its water rights by developing facilities and continuing to operate and maintain hatchery facilities at Priest Rapids Dam. Seasonal water use has changed in response to changing hatchery operations over time while maintaining one of the most prolific Fall Chinook hatcheries in the world. Additionally, water use under this certificate has been limited exclusively to its facilities on land owned by Grant PUD and there has been no attempt to market any portion of the inchoate right elsewhere. Seasonal water use is expected to increase in response to requirements in Grant PUD’s new FERC license as discussed below.

G3-01590C has been continuously used since it was issued. On July 26, 2011, G3-01590C was conformed to municipal water supply purposes under RCW 90.03.560 based on the existing seasonal irrigation. Currently, use for the lawn area around the Incubation Building of 0.25 acres is estimated to be approximately 1 acre-foot per year. The remaining beneficial use metered at the well is currently attributed to GWC 2739-A.

Previous changes

No change applications have been previously filed or processed for this water right.

SEPA

All water right change applications associated with the proposed water system upgrade were considered to be one project. The board is currently processing six change applications for water rights associated with the Priest Rapids Dam Facility (See **Table 2**). The total cumulative instantaneous rate of all of the water rights associated with these changes is 873.5 gpm. This rate is less than the 2,250 gpm threshold identified in WAC 197-11-800(4) as being the limit of the categorical exemption for groundwater rights.

Table 2
Priest Rapids Comprehensive Water System Water Rights

Water Right Number	Source	Purpose of Use	Qi (gpm)	Qa (afy)	Season of Use
GWC 2739	MC&S Well	Community Domestic	400	13.6 ¹	Year round
G3-01591C	Powerhouse Well	Municipal	100	161	Year round
GWC 7502	Indian Village Well	Domestic	30	3 ¹	Year round
G3-20495C	Indian Village Well ²	Domestic	30	3 ¹	Year round
<i>Total Year round</i>			560	180.6	
S3-00004C	Priest Rapids Pool	Municipal	13.5	6.4	Mar 1 - Oct 31
G3-01590C	MC&S Well	Municipal	300	120	Mar 1 - Oct 31
<i>Total Seasonal</i>			313.5	126.4	

¹ Tentative determination of extent and validity of water right based on highest annual use in continuous five year period of lowest use.
² Not currently approved point of withdrawal on water right certificate.
Qi = Water right instantaneous rate
Qa = Water right annual volume
Qi and Qa for municipal water rights are the certificated values.
gpm = gallons per minute
afy = acre-feet per year

Therefore, all of the change applications associated with the Priest Rapids Water System are categorically exempt from requiring a SEPA threshold determination.

The information or conclusions in this section were authored and/or developed by Mr. Andrew B. Dunn, L.G., L.H.G. (RH2 Engineering, Inc.) – Consultant for Public Utility District No. 2 of Grant County.

COMMENT AND PROTESTS [See WAC 173-153-130(6)(b)]

Public notice of the application was given in the *Grant County Journal* and *Yakima Herald-Republic* on September 22nd and 29th, 2011. Protest period ended on October 30, 2011.

Email notification, with a scan of the water right change application attached, was provided on September 8, 2011, to the Washington Department of Fish and Wildlife (WDFW), Eastern Washington Council of Governments, and Washington State Department of Archaeology and Historic Preservation. Mr. Steve Boessow from WDFW submitted an email to the Grant County Water Conservancy Board on September 13, 2011, that stated, “My initial review indicates that WDFW was party to the relicensing agreements and that these water right changes reflect our agreements.” No other comments were received.

Email notification, with a scan of the water right change application attached, was provided on September 13, 2011, to the Grant County Commissioners and also to the Yakima County Commissioners. No comments were received.

Since this change application involves points of withdrawal and a proposed place of use that spans two counties (Grant and Yakima), two public hearings were held. One took place at 10 a.m. on October 27, 2011, at the Grant County Water Conservancy Board Office in Grant County, Washington, and the second took place at 2 p.m. on October 27, 2011, at the Wanapum Indian Village Longhouse in Yakima County, Washington. No oral and written comments were received at either hearing. The public hearing dates, times, and locations were advertised in the *Grant County Journal* and the *Yakima Herald-Republic* on October 17, 2011.

There were no protests received during the 30 day protest period. In addition, no oral and written comments were received at an open public meeting of the board or other means as designated by the board.

The information or conclusions in this section were authored and/or developed by Mr. Andrew B. Dunn, L.G., L.H.G. (RH2 Engineering, Inc.) – Consultant for Public Utility District No. 2 of Grant County.

INVESTIGATION [See WAC 173-153-130(6)(c)]

On October 27, 2011, a site inspection conducted by Mr. Ron Baker (chair), Mr. Keith Ellis (commissioner) and Mr. Ken Enns, PE (alternate) with Messrs. Cliff Sears (Grant PUD) and Roger Durkee, Water System Operator for Grant PUD. Based on the site investigation, including a review of technical reports, research of department records, and conversations with the applicant and/or other interested parties, the Grant County Water Conservancy Board (Board) verified the source, withdrawal facilities and place of use of this water right. Additionally, the following information was obtained.

As provided in the Priest Rapids Salmon and Steelhead Settlement Agreement and the Fall Chinook Hatchery Genetic Management Plan (HGMP), Grant PUD is required by its FERC license to operate the Priest Rapids Project to provide facility improvements at the Priest Rapids Hatchery necessary to carry out the programs described in the (HGMP) and to meet any additional requirements as determined by the Priest Rapids Coordinating Committee (PRCC) and PRCCs Hatchery Subcommittee (PRCC HSC). Requirements include improvements through construction of a new incubation building, a new office building, an emergency power system to provide an uninterruptible water supply to the hatchery building, new early rearing raceways, an additional rearing pond, new adult trapping and holding facilities, a new weir on the return channel, predator control features, a pollution abatement settling pond, and up to three additional residences for WDFW personnel. These modifications to the existing site are designed to achieve a production goal of 7.1 million Fall Chinook salmon (includes additional production of 1 million smolts plus 10% excess capacity, and 1 million fry). The Priest Rapids Hatchery facility is located at the left bank of Priest Rapids Dam. Seasonal water use is expected to increase significantly during construction and to support operation of these new hatchery facilities.

Other Proposed project plans and specifications

On September 29, 2011, DOH approved the Priest Rapids Water Systems Comprehensive Plan (PRWSCP). The change applications filed for the Priest Rapids water rights will allow Grant PUD to correct issues of water right non-compliance, while positioning them to be able to handle expansion of water use through at least 2030.

The PRWSCP contemplates increased use in response to anticipated modification and expansion of facilities that are underway or anticipated to meet Grant PUD’s FERC license requirements. These modifications will accommodate the new Wanapum Heritage Center, additional staff and contractor personnel for fish ladder improvements, construction of a fish-bypass, operation of a new Off Ladder Adult Fish Trap, additional recreational uses, expanded maintenance and environmental facilities and new turbines and generators, expansion and operation of the Fall Chinook Hatchery among several other projects over the 44 year term of Grant PUD’s FERC license. The modifications within the Wanapum Indian Village include increased storage capacity and distribution system improvements to provide fire flow and service to existing and future connections.

The PRWSCP projects will increase water use over a 20 year period ending in 2030. However, the growth rate is difficult to determine and is likely to be uneven as it has in the past. This 20 year forecast demonstrates that most if not all of the water will be put to beneficial use within the water system. All water use is confined to Grant PUD facilities on land owned by Grant PUD. At the end of the current FERC license term, a subsequent FERC license is anticipated with additional requirements anticipated to exhaust any remaining inchoate supply. The PRWSCP further demonstrates Grant PUD’s good faith and due diligence in exercising its water rights. In addition to conservation measures and more efficient utilization of the water resource, Grant PUD’s plans in the PRWSCP to upgrade its water system infrastructure will support additional facilities for maintenance and operations, increased hydropower generation, hatchery expansion and other obligations under Grant PUD’s FERC license. Additionally, Grant PUD has no plans to market any portion of its inchoate rights elsewhere.

Under RCW 90.03.386(2) the place of use of a municipal water right automatically becomes the service area as approved by the DOH in an approved planning or engineering document. All of the submitted water rights for the Priest Rapids Water Systems include a place of use map that is consistent with the service area map provided to DOH.

Other water rights appurtenant to the property

All water rights appurtenant to the proposed place of use are owned by Grant PUD. These water rights can be divided into rights that are used for hydropower production, fish propagation, and the municipal water system. Table 3 contains information on each water right document.

Table 3
Water Rights Appurtenant to the Proposed Place of Use

Water Right	Priority Date	Qi (cfs)	Qi (gpm)	Qa (afy)	Source	Purpose of Use
Groundwater						
GWC 2739	8/14/1956		400	90	MC&S Well	Community Domestic
GWC 7502	4/15/1970		30	3	Wanapum Indian Village Well #1	Domestic
G3-01590C	4/15/1970		300	120	MC&S Well	Municipal (Mar 1 - Oct 31)
G3-01591C	4/15/1970		100	161	Powerhouse Well	Municipal
G3-20495C	9/6/1972		30	3	Wanapum Indian Village Well #2	Group Domestic
G3-26093C	11/21/1978		2,700	3,570	Well 1, 2, and 3	Fish Propagation
G3-27102C	7/27/1981		7,800	12,500	Wells 5, 6, and 7	Fish Propagation
Surface Water						
S3-00004C	4/15/1970	0.03		6.4	Columbia River (Priest Rapids Pool)	Municipal (Mar 1 - Oct 31)
S3-00005C	4/15/1970	10		NA	Unnamed Springs	Fish Propagation
S3-00006C	4/15/1970	102		NA	Columbia River (Priest Rapids Pool)	Fish Propagation
S3-01612C	11/28/1955	192,500		NA	Columbia River	Hydropower
Reservoir						
				Acre-feet Storage		
R3-01438C	4/15/1970			75	Unnamed Springs and Moran Pool	Fish Propagation
R3-01439C	4/15/1970			48	Moran Slough	Fish Propagation
R3-01614C	11/28/1955			200,000	Columbia River	Hydropower

The proposed change / transfer is subject to RCW 90.44.100 and, therefore, cannot be detrimental to the public interest, including impacts on any watershed planning activities.

No watershed planning groups have been formed under RCW 90.82 (Watershed Planning Act) for either Water Resource Inventory Area (WRIA) 36 (Esquatzel Coulee) or WRIA 40 (Alkali-Squillchuck). Therefore, there are no watershed plans for these regions that can be considered.

Ecology has previously determined that, although the MC&S and Powerhouse Wells physically lie within the boundaries of the Federal Columbia Basin Irrigation project, they are tapping public groundwater associated with the Columbia River as opposed to federal artificially stored groundwater associated with the Columbia Basin Irrigation project (see respective superseding permits). The proposed replacement/additional MC&S Well will be located even closer to the Columbia River than the existing MC&S Well, so it will not capture federal artificially stored groundwater.

These change applications will allow Grant PUD to be able to meet requirements of their Federal Energy Regulatory Commission (FERC) license No. 2114, which will include, among other things;

1. Construction of a new Wanapum Heritage Center with the focal point for public education and preservation of the rich cultural heritage of the Wanapum people.
2. Expansion of the Fall Chinook Hatchery.
3. Modification of the dam to improve the efficiency of power production and enhance fish bypass.
4. Expanded recreational uses within the Priest Rapids Dam area.
5. Upgrading of infrastructure associated with the water and wastewater systems.

Tentative Determination

In order to make a water right change decision, the Board must make a tentative determination on the validity and extent of the right. After consideration of all relevant information including the Department of Ecology's POL. 1120 applicable to municipal water supply water rights, the Board has made the tentative determination as displayed upon the first page of this report.

Grant PUD qualifies as a municipal water supplier under RCW 90.03.015. Furthermore, RCW 90.03.330(2) and (3) state that if a water right is classified as being for municipal purposes, "...the department shall not revoke or diminish a certificate for a surface or ground water right for municipal water supply purposes as defined in RCW 90.03.015 unless the certificate was issued with ministerial errors or was obtained through misrepresentation." Since there is no evidence of ministerial errors or misrepresentation, Grant PUD's water rights are considered in good standing for their full listed instantaneous and annual quantities.

Additionally, except for a sufficient cause pursuant to RCW 90.14.140, water rights, in whole or in part, not put to a beneficial use for five consecutive years since 1967 may be subject to relinquishment under Chapter 90.14.130 through 90.14.180 RCW. Water rights may additionally be lost through abandonment. With respect to certificate G3-01591C, there is no evidence of non-use for 5 consecutive years or abandonment. Additionally, this water right is for municipal water supply purposes and is specifically exempt from relinquishment under RCW 90.14.140(2)(d). The Board's tentative determination is also based upon the following investigations and findings contained in this report.

The Priest Rapids Water Systems will be upgraded and expanded under the new FERC license issued to Public Utility District No. 2 of Grant County on April 17, 2008. The water quantities in the tentative determination are reasonable in relation to the current and future intended uses.

This water right has been used continuously since it was issued, even though not always up to the full annual volume, and the right remains in good standing according to RCW 90.03.330(3).

This water right will continue to be used to support hydropower production and the associated governmental and governmental proprietary activities at the Priest Rapids Facility for the duration of Grant PUD's current 44 year FERC license and beyond. The full amount of such right is available for transfer / change.

Geologic, Hydrogeologic, or other scientific investigations

Same Body of Public Groundwater

The information contained here is a summary of the document titled, 'Hydrogeologic Evaluation of the Hydraulic Connection between Grant PUD Priest Rapids Facility Wells and the Columbia River,' (RH2, 2011).

Priest Rapids Dam is located at river mile 397.1 on the Columbia River. Construction began in July 1956 with power generation beginning in October 1959. The normal pool operating range of Priest Rapids Pool, upstream from the dam, ranges from approximately 481.5 to 488 feet in elevation. The tailwater elevation, immediately downstream of the dam, ranges from approximately 405 to 412 feet. The Hanford Reach of the Columbia River below Priest Rapids Dam is a free-flowing reach of the river.

Water levels in the Priest Rapids Pools fluctuate annually, seasonally, and daily according to Columbia River flow and power production. Headwater (pool) levels are governed by the Federal Energy Regulatory Commission (FERC) license for the project.

Prior to 1956, the Columbia River flowed freely past the current sites of Wanapum Dam, Priest Rapids Dam, and Crescent Bar. Construction of the dams and the resulting rise of reservoirs behind the dams raised the level of the Columbia River from Priest Rapids Dam (river mile 397) upstream to Rock Island Dam (river mile 453), effectively raising the groundwater elevation in adjacent aquifers and affecting local groundwater flow directions near the river.

Groundwater levels in adjacent unconsolidated and basalt aquifers along much of the Columbia River generally respond to changes in river levels. The response of groundwater levels in the aquifers to changes in river levels may be time-lagged or dampened due to the attenuation of hydrostatic pressure within the complex network of interconnected flow zones and fractures. The time lag and attenuation generally increases with distance from the river.

Hydrogeology

The geologic units in the vicinity of the Priest Rapids Dam are comprised of layers of alluvial and flood-derived sand and gravel along and beneath the Columbia River; regionally extensive basalt layers; and minor sedimentary interbeds extending several thousand feet below the Columbia River. Groundwater resides in the pore spaces of the unconsolidated alluvium/flood gravels and in the fractures and pore spaces within the basalt layers. Permeable zones that developed between basalt lava flows generally contain substantial volumes of water. The two units are in apparent hydraulic continuity; a difference in hydraulic head (a hydraulic gradient) between the units causes an exchange of water between the units.

Well Completion and Water Level Data

All wells currently authorized under water rights GWC 2739 and G3-01590C (MC&S), GWC 7502 (Original Indian Village), G3-20495C (Second Indian Village), and G3-01591C (Powerhouse) are completed in basalt bedrock. The greatest distance between any of the wells is 2 miles. The wells are located less than 2,300 feet from the Columbia River. Surface water right S3-00004C for irrigation of the Powerhouse Park diverts water directly from the Priest Rapids Pool.

Groundwater elevations at all four of the wells are between the elevation of the Priest Rapids Pool (approximately 481.5 to 488 feet elevation) and Tailwater (approximately 405 to 412 feet elevation).

The MC&S Well was drilled in 1956 under water right GWC 2739 and later confirmed as the point of withdrawal under G3-01590C. The well is approximately 2,200 feet from the Priest Rapids Pool shoreline and was completed at a depth of 350 feet below the ground surface (elevation 548.81 feet). The boring encountered 142 feet of gravel above basalt bedrock. An outer 20-inch casing was installed to 143 feet into the top of the basalt, and an inner 16-inch casing was advanced to 178 feet, or 36 feet into the underlying basalt. Well perforations in the 16-inch casing extend from 145 to 169 feet (elevation 380 to 404 feet). At the time of drilling, in 1956, the static water level was 92 feet below ground surface (elevation 457 feet). The static water level measured in the well during February 2009 was approximately 73 feet below the wellhead (approximately elevation 477 feet). The static water level observed in the well is between the Priest Rapids Pool and Tailwater elevations (approximately 488 to 405 feet elevation). The 20-foot rise in elevation between 1956 and 2009 resulted from the filling of the Priest Rapids Pool. Groundwater levels in the well also generally respond to fluctuating water levels in the Priest Rapids Pool above the dam. The magnitude of response appears attenuated, probably due to resistance of groundwater flow through porous materials between the pool and well in addition to the effect of irrigation return flow discharging to the aquifer from the north.

Grant PUD proposes to add an additional MC&S Well at a location near the proposed Heritage Center in Section 35, Township 14 North, Range 23 East, W.M. The well will likely be completed at a similar elevation as the MC&S Well and will likely encounter geologic and hydrogeologic conditions similar to that of the MC&S Well due to its proximity to the MC&S Well and Priest Rapids Pool.

The Powerhouse Well was drilled in 1957 under G3-01591C and is located inside Priest Rapids Dam in the middle of the Columbia River. The well was drilled to a total depth of 236 feet as measured from the current floor surface, elevation at approximately 406 feet. The boring encountered only basalt. The 8-inch casing was perforated at a depth of 135 to 236 feet (elevation 170 to 271 feet). At the time of drilling, the static level was 19.6 feet below the floor level. Completion of the Priest Rapids Dam substantially raised local groundwater levels. Static level in February 2009 in the Powerhouse Well was approximately 56 feet above the top of well casing (elevation 463 feet), which is between the Priest Rapids Pool and Tailwater elevations (approximately 488 to 405 feet elevation). Groundwater levels generally respond to fluctuating headwater and tailwater pool levels.

The original Indian Village Well is approximately 500 feet from the Priest Rapids tailwater shoreline and was completed in 1957 under water right GWC 7502. The well was drilled to a total depth of 116 feet below ground surface (elevation 467.61 feet). The boring encountered 30 feet of gravel before reaching basalt bedrock. An 8-inch casing was installed to 37 feet, and the boring was drilled as an open hole from 38 to 116 feet (elevation 352 to 430) within the basalt aquifer. The static water level at the time of drilling was 45 feet (elevation 424 feet). In February 2009, the static water level ranged from 56 to 64 feet below the wellhead (elevation 405 to 413 feet). The static water level observed in the well is close to the Priest Rapids Tailwater (approximately 405 feet elevation). Groundwater levels respond to fluctuations in the tailwater level below the dam.

The second Indian Village well is approximately 700 feet from the Priest Rapids Pool shoreline and was drilled in 1981 under water right G3-20495C to provide a second source of supply for the Indian Village system. The well was drilled to a total depth of 145 feet below ground surface (elevation 472.95 feet). The boring penetrated 25 feet of sand and gravel before reaching basalt bedrock. An 8-inch casing was installed to a depth of 25 feet and the boring was drilled as an open hole from 25 to 145 feet (elevation 328 to 448 feet) within the basalt aquifer. The static water level was 40 feet at the completion of drilling (elevation 434 feet). The well has experienced sanding issues and its use has been suspended. The static water level observed in the well is between the Priest Rapids Pool and Tailwater elevations (approximately 488 to 405 feet elevation). No continuous water level monitoring has occurred at this well; however, it is likely that groundwater levels respond to river levels similarly to the response observed at the original Indian Village Well.

Impairment considerations

Multiple sources of information were reviewed to identify the location of nearby wells for purposes of determining what impact there might be to those wells from the proposed changes.

Washington State Department of Ecology Water Resources Explorer:

<https://fortress.wa.gov/ecy/waterresources/map/WaterResourcesExplorer.aspx> (accessed on August 24, 2011)

This web page was reviewed to identify the location of any wells in the vicinity associated with water right documents, such as permits, certificates, and claims. The closest wells associated with water right documents are identified in **Table 4**.

Table 4
Groundwater Rights Near Priest Rapids Dam

Water Right Number	Name	Priority Date	Well Location	Qi (gpm)	Qa (afy)	Well Log Name
G3-28752C	Green Acres Partners	3/23/1990	SE 1/4 NW 1/4, Sec. 5, T13N, R24E	13,500	2,600	Green Acres Orchard
G3-083442CL	Frank Mowat	NL	NW 1/4 SW 1/4, Sec. 8, T13N, R24E	NL	NL	None identified
G3-23023C	Desert Aire Owners Association	5/20/1974	NW 1/4 SW 1/4, Sec. 26, T14N, R23E	450	725.85	Desert Aire Associates

Qi = Instantaneous water right limit
gpm = gallons per minute
Qa = Annual water right limit
afy = acre-feet per year
NL = not listed
Distance = Distance from well to nearest edge of point of withdrawal published legal description

Washington State Department of Health Sentry Internet Homepage: <https://fortress.wa.gov/doh/eh/portal/odw/si/Intro.aspx> (accessed on August 24, 2011)

This web page was reviewed to identify the existence of any public water systems supplied by groundwater in the vicinity. This search only identified three public water systems in the vicinity that are not owned by Grant PUD. Those public water systems are shown in Table 5.

Table 5
Public Water Systems Near Priest Rapids Dam

PWS ID	System Name	Well Location	Well Log Name	Well Tag ID
19056	Desert Aire Owners Association	NW 1/4 SW 1/4, Sec. 26, T14N, R23E	Desert Aire Associates	ABR-239
AC660	Whispering Rock Farmworker Housing	NE 1/4 NW 1/4, Sec. 36, T14N, R23E	Whispering Rock Orchard LLC	BBJ-129
AB860	Green Acres Water System	NE 1/4 SE 1/4, Sec. 36, T14N, R23E	Green Acres Orchard	APT-077

Geographic extent searched:
Sections 25, 26, 35, and 36, T14N, R23E, W.M.
Sections 1, 2, 3, 10, 11, and 12, T13N, R23E, W.M.
Sections 6 and 7, T13N, R24E, W.M.

Washington State Department of Ecology Washington State Well Log Viewer: <http://apps.ecy.wa.gov/welllog/index.asp> (accessed on August 24, 2011)

This web page was reviewed to identify the existence and location of any permit exempt wells in the vicinity. The closest wells as identified by their well logs are shown in Table 6. Some of the well logs are associated with public water systems or water right documents in the preceding tables. Some of the well logs returned by the search are mislocated; for instance, the Town of Mattawa well was drilled in Township 15N, not Township 14N.

Table 6
Well Logs for Wells near Priest Rapids Dam

Name	Well Location	Approximate Ground Surface Elevation (feet)	Top of Completion Depth (feet)	Approximate Top of Completion Elevation (feet)	Depth to Water (feet)	Approximate Water Level Elevation (feet)	Bedrock Completion? (Y/N)	Distance (feet)
Pacific First Bank (G3-28752C)	SE 1/4 NW 1/4, Sec. 5, T13N, R24E	530	610	-80	29	501	Y	9,575
Pacific First Bank (G3-28752C)	SE 1/4 NW 1/4, Sec. 5, T13N, R24E	530	612	-82	34	496	Y	9,575
Pacific First Bank (G3-28752C)	SE 1/4 NW 1/4, Sec. 5, T13N, R24E	530	770	-240	80	450	Y	9,575
Chuck Cable	SW 1/4 NW 1/4, Sec. 6, T13N, R24E	515	160	355	91	424	Y	3,500
Monty Prince	NW 1/4 NW 1/4, Sec. 6, T13N, R24E	505	89	416	62	443	Y	4,550
Vurgal Engle	NW 1/4 NW 1/4, Sec. 6, T13N, R24E	510	79	431	63	447	N	3,870
Vurgal Engle	NW 1/4 NW 1/4, Sec. 6, T13N, R24E	510	104	406	74	436	N	3,870
C.F.A Columbia	SE 1/4, Sec. 6, T13N, R24E	480	107	373	69	411	N	6,625
Brett Adams	SW 1/4 SW 1/4, Sec. 26, T14N, R23E	537	175	362	78	459	N	1,705
Desert Air Associates (G3-23023C)	NW 1/4 SW 1/4, Sec. 26, T14N, R23E	544	86	458	60	484	N	5,065
Frank Gearhart	NE 1/4 NE 1/4, Sec. 26, T14N, R23E	640	125	515	140	500	Y	6,015
Green Acres Orchard	NE 1/4 SE 1/4, Sec. 36, T14N, R23E	590	158	432	123	467	N	2,350
Whispering Rock Orchard LLC	NE 1/4 NW 1/4, Sec. 36, T14N, R23E	643	243	400	175	468	Y	2,750

Approximate Ground Surface Elevation obtained from Google Earth™
Distance = Distance from well to nearest edge of point of withdrawal published legal description

Geographic extent searched:
Sections 25, 26, 35, and 36, T14N, R23E, W.M.
Sections 1, 2, 3, 10, 11, and 12, T13N, R23E, W.M.
Sections 6 and 7, T13N, R24E, W.M.

As can be seen from the tables above, there are few groundwater rights, public water systems utilizing groundwater, and permit exempt wells in the vicinity of Priest Rapids Dam. Table 6 shows that the minimum distance to any well is approximately 1,705 feet (1/3 mile) as measured from the closest possible location Grant PUD could locate a well based on the public notice legal description. The closest well (Brett Adams) is completed in the unconsolidated sediments near the Priest Rapids Pool. The pool will provide recharge to the aquifer due to pumping and will reduce the areal extent of drawdown due to pumping of existing and future Grant PUD wells.

The current elevation of the aquifer tapped by the existing Grant PUD wells is from 150 to 170 feet. The large production wells utilized by the Green Acres Partners are completed at a much greater depth (elevation ranging from -80 to -981 feet).

The Desert Aire Owners Association well is completed in unconsolidated sediments adjacent to the Priest Rapids Pool. Any drawdown in the aquifer in the vicinity of this well will be quickly negated by recharge from the Priest Rapids Pool into the aquifer.

A well log could not be found that is associated with the Frank Mowat water right claim. However, the minimum distance to the Frank Mowat Well would be over 2 miles as measured from the closest possible location Grant PUD could locate a well based on the public notice legal description.

Measured drawdown in the MC&S Well due to existing pumping conditions is approximately 2 feet and then the water level quickly recovers back to static conditions (RH2, 2011). Measured drawdown in the Powerhouse Well due to existing pumping conditions ranges from 1 to 3 feet during the frequent pumping cycles (RH2, 2011). Measured drawdown due to pumping in the original Indian Village Well is on the order of 15 feet when the well is pumping, which occurs approximately once every four days (RH2, 2011).

The information or conclusions in this section were authored and/or developed by Mr. Andrew B. Dunn, L.G., L.H.G. (RH2 Engineering, Inc.) – Consultant for Public Utility District No. 2 of Grant County.

CONCLUSIONS [See WAC 173-153-130(6)(d)]

Tentative determination (validity and extent of the right)

This water right has been tentatively determined to be valid for the full instantaneous rate (300 gpm) and annual volume (120 afy).

Relinquishment or abandonment concerns

There are no relinquishment or abandonment concerns associated with this water right.

Same body of public groundwater analysis

Hydrogeologic data related to the four Priest Rapids wells indicate that the wells, and any replacement/additional wells, are or will be completed in aquifers that are in hydraulic continuity with the Columbia River and with each other, and therefore within the same body of public groundwater. In summary:

1. All of the wells are completed in the basalt aquifer underlying either flood gravels/alluvium or directly underlying the Columbia River.
2. The groundwater level elevations in all wells are between the Priest Rapids Pool and Tailwater elevations.
3. Wells drilled before construction of Priest Rapids Dam show significant water level increases attributable to the filling of the reservoir.
4. All wells are located within ½ mile of the Columbia River and are no more than 2 miles apart.
5. Groundwater levels as recorded in the MC&S Well, Powerhouse Well, and original Indian Village Well respond to pool and/or tailwater level fluctuations demonstrating hydraulic connection with the Columbia River. Given the depth and location of the Wanapum Indian Village Well No. 2 and the fact that the additional MC&S Well will be much closer to the Columbia River than the current MC&S Well, it is reasonable to infer a similar hydraulic connection exists in these other wells.

Consideration of comments and protests

The only comment received was from WDFW and it indicated that the proposed changes reflect agreements reached during the relicensing process.

Impairment

Approval of this change application will not impair any existing water rights, including instream flows set in WAC, for the following reasons:

1. There is no increase in the total instantaneous (Qi) or annual (Qa) withdrawal authorized under the existing certificate.
2. The large distance separating neighboring wells (both documented by a water right and permit exempt) and the existing and potential future Grant PUD wells under this water right, consistent with the point of withdrawal location identified in the public notice.
3. The ability for the Columbia River to act as a recharge boundary in response to pumping in the unconsolidated and shallow basalt aquifers. This relationship reduces the overall drawdown in the aquifer and preserves water levels near the current static conditions.
4. Drawdown as measured in the existing wells due to pumping of those wells is 3 feet or less in the MC&S Well and Powerhouse Well, and 15 feet in the original Indian Village Well. This minimal drawdown at the pumping well means that the drawdown at the nearest neighboring wells will be substantially less. There is sufficient available drawdown in the aquifer so that any slight interference drawdown would not be enough to cause impairment.
5. WAC 173-563-040(1) identifies Priest Rapids Dam as a control station for flow of the Columbia River. All of the proposed points of withdrawal are capturing groundwater that is flowing from the Priest Rapids Pool to the Columbia River downstream of the dam; both around the dam and beneath it. The discharge of the Columbia River from the Priest Rapids Pool to the tailwater of the dam will not be reduced due to the requested change.

Public Interest

No detriment to the public welfare could be identified during the processing of this application.

DECISION [See WAC 173-153-130(6)(c)]

The requested change to add additional points of withdrawal and change the place of use to groundwater certificate G3-01590C has passed the statutory tests and is approved as requested for change / transfer at the rate of 300 gpm and 120 afy for seasonal (March 1st to October 31st) municipal water supply purposes. Based on these conclusions, this change request should be approved subject to existing rights and the below-indicated provisions and a superseding certificate should be issued following the appeal period.

Six water right change applications are being processed by the Board simultaneously related to the water rights associated with the Priest Rapids Water Systems (GWC 2739-A, GWC 7502-A, G3-01590C, G3-01591C, G3-20495C, and S3-00004C). The following table summarizes the attributes of the water rights after the change applications have all been processed.

Table 7 – Attributes of the Water Rights Associated with the Priest Rapids Water Systems
(after the current change applications have been processed by the Grant County Conservancy Board)

Water Right Number	Points of Withdrawal Location	Purpose of Use	Qi (gpm)	Qa (afy)	Place of Use	Season of Use
GWC 2739	S 3/4 E 1/2, Section 35, T14N, R23E, W.M. and the S 3/4 W 1/2, Section 36, T14N, R23E, W.M. and Sections 2 and 3, T13N, R23E, W.M.	Municipal Water Supply Purposes	400	13.6	Service Area as approved by DOH in the most recent water system plan	Year round
G3-01591C			100	161		
GWC 7502			30	3		
G3-20495C			30	3		
Total Year round			560	180.6		

G3-01590C	Same as above	Municipal Water Supply Purposes	300	120	Service Area as approved by DOH in the most recent water system plan	Mar 1 - Oct 31
S3-00004C	Same as above plus the existing surface water diversion from the Priest Rapids Pool in Section 2, T13N, R23E, W.M.		13.5	6.4		
Total Seasonal			313.5	126.4		
Grand Total			873.5	307		

Qi = Water right instantaneous rate
Qa = Water right annual volume
gpm = gallons per minute
afy = acre-feet per year

The information or conclusions in this section were authored and/or developed by Mr. Andrew B. Dunn, L.G., L.HG. (RH2 Engineering, Inc.) – Consultant for Public Utility District No. 2 of Grant County.

PROVISIONS [See WAC 173-153-130(6)(f)]

The following provisions are comprehensive with respect to this water right and either add to, replace, or modify provisions contained in previously issued documents.

Conditions and limitations

Any replacement or additional wells drilled under this water right must tap an aquifer that is hydraulically connected to the Columbia River.

A water well report and document confirming compliance with RCW 90.44.100(3) shall be filed with Ecology for any additional or replacement well drilled within the point of withdrawal location identified in the public notice, which is:

- S ¾ E ½, Section 35, Township 14 North, Range 23 East, W.M.
- S ¾ W ½, Section 36, Township 14 North, Range 23 East, W.M.
- Section 2, Township 13 North, Range 23 East, W.M.
- Section 3, Township 13 North, Range 23 East, W.M.

Well Head Protection

In accordance with WAC 173-160, wells shall not be located within certain minimum distances of potential sources of contamination. These minimum distances shall comply with local health regulations, as appropriate. In general, wells shall be located at least 100 feet from sources of contamination. Wells shall not be located within 1,000 feet of the boundary of a solid waste landfill.

Well Construction Standard

All wells constructed in the state shall meet the construction requirements of WAC 173-160 titled "Minimum Standards for the Construction and Maintenance of Wells" and RCW 18.104 titled "Water Well Construction". Any well which is unusable, abandoned, or whose use has been permanently discontinued, or which is in such disrepair that its continued use is impractical or is an environmental, safety or public health hazard shall be decommissioned.

All wells constructed in the state shall meet the "Minimum Standards for the Construction and Maintenance of Wells" (WAC 173-160) and "Water Well Construction" (RCW 18.104). In general, wells shall be located at least 100 feet from sources of contamination and at least 1,000 feet of the boundary of a solid waste landfill. Any well which is unusable, abandoned, or is an environmental, safety, or public health hazard shall be decommissioned.

Artesian Flow

Flowing wells shall be constructed and equipped with valves to ensure that the flow of water can be completely stopped when not in use. Likewise, the well shall be continuously maintained to prevent the waste of water through leaky casings, pipes, fittings, valves, or pumps — either above or below land surface.

Well Tag

All wells shall be tagged with a Department of Ecology unique well identification number. If you have an existing well and it does not have a tag, please contact the well-drilling coordinator at the regional Department of Ecology office issuing this decision. This tag shall remain attached to the well. If you are required to submit water measuring reports, reference this tag number.

Access Port

Required installation and maintenance of an access port as described in WAC 173-160- 291(3).

Advisory Water Level Measurements

In order to maintain a sustainable supply of water and ensure that your water source is not impaired by future withdrawals, static water levels should be measured and recorded monthly using a consistent methodology. Static water level is defined as the water level in a well when no pumping is occurring and the water level has fully recovered from previous pumping. Static water level data should include the following elements:

Unique Well ID Number

Measurement date and time

Measurement method (air line, electric tape, pressure transducer, etc.)

Measurement accuracy (to nearest foot, tenth of foot, etc.)

Description of the measuring point (top of casing, sounding tube, etc.)

Measuring point elevation above or below land surface to the nearest 0.1 foot

Land surface elevation at the well head to the nearest foot.

Static water level below measuring point to the nearest 0.1 foot.

MEASUREMENTS, MONITORING, METERING AND REPORTING

Meter Installation

An approved measuring device shall be installed and maintained for each of the sources authorized by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", WAC 173-173.

<http://www.ecy.wa.gov/programs/wr/measuring/measuringhome.html>

Record Weekly, Report Annual Totals

Water use data shall be recorded weekly and maintained by the water right holder. The maximum rate of diversion/withdrawal and the annual total volume shall be submitted to the Department of Ecology by January 31st of each calendar year. The first submittal shall be required after a full year of metering data has been recorded following final approval of this Report of Examination.

Electronic Reporting

Recorded water use data shall be submitted via the Internet. To set up an Internet reporting account, contact the Office of the Columbia River. If you do not have Internet access, you can still submit hard copies by contacting the Office of the Columbia River for forms to submit your water use data.

Metering Rule Description and Petition Info

WAC 173-173 describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition the Department of Ecology for modifications to some of the requirements.

MUNICIPAL SUPPLY AND PUBLIC WATER SYSTEMS

Municipal Place of Use

If the criteria in RCW 90.03.386(2) are not met and a Water System Plan/Small Water System Management Program was approved after September 9, 2003, the place of use of this water right reverts to the service area described in that document.

If the criteria in RCW 90.03.386(2) are not met and no Water System Plan/Small Water System Management Program has been approved after September 9, 2003, the place of use reverts to the last place of use described by the Department of Ecology in a water right authorization.

Health Approval Required

Prior to any new construction or alterations of a public water supply system, the State Board of Health rules require public water supply owners to obtain written approval from the Office of Drinking Water of the Washington State Department of Health. Please contact the Office of Drinking Water prior to beginning (or modifying) your project at DOH/Division of Environmental Health, 16201 E. Indiana Avenue, Suite 1500, Spokane Valley, WA 99216, (509)329-2100.

SCHEDULE AND INSPECTIONS

Authority to Access Project

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with water law.

GENERAL CONDITIONS:

Easement Right-Of-Way

The water source and/or water transmission facilities are not wholly located upon land owned by the water right holder. Issuance of a water right change authorization by this department does not convey a right of access to, or other right to use, land which the applicant does not legally possess. Obtaining such a right is a private matter between applicant and owner of that land.

Senior Rights

This authorization to make use of public waters of the state is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise.

Relinquishment

This water right is specifically subject to relinquishment for non-use of water as provided in Chapter 90.14 RCW, unless otherwise exempt or sufficient cause for non-use is established.

Place of Use

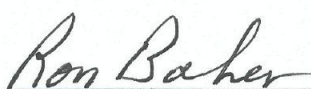
The right to use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in RCW 90.03.380, 90.03.390, 90.44.100, and 90.03.386.

The information or conclusions in this section were authored and/or developed by Mr. Andrew B. Dunn, L.G., L.H.G. (RH2 Engineering, Inc.) – Consultant for Public Utility District No. 2 of Grant County.

The undersigned board commissioner certifies that he/she understands the board is responsible "to ensure that all relevant issues identified during its evaluation of the application, or which are raised by any commenting party during the board's evaluation process, are thoroughly evaluated and discussed in the board's deliberations. These discussions must be fully documented in the report of examination." [WAC 173-153-130(5)] The undersigned therefore, certifies that he/she, having reviewed the report of examination, knows and understands the content of this report and concurs with the report's conclusions.

Signed at Moses Lake, Washington

This 23rd day of November, 2011



Ron Baker, Board Chair
Grant County Water Conservancy Board

If you have special accommodation needs or require this form in alternate format, please contact 360-407-6607 (Voice) or 711 (TTY) or 1-800-833-6388 (TTY).

Ecology is an equal opportunity employer

G3 01590C Approved Place of Use & Point of Withdrawal Location

Water Right G3-01590C Place of Use and Points of Withdrawal

Legend

Place of Use



Point of Withdrawal Location



Water Mains



Existing Wells



County Boundary



Township, Range, Section

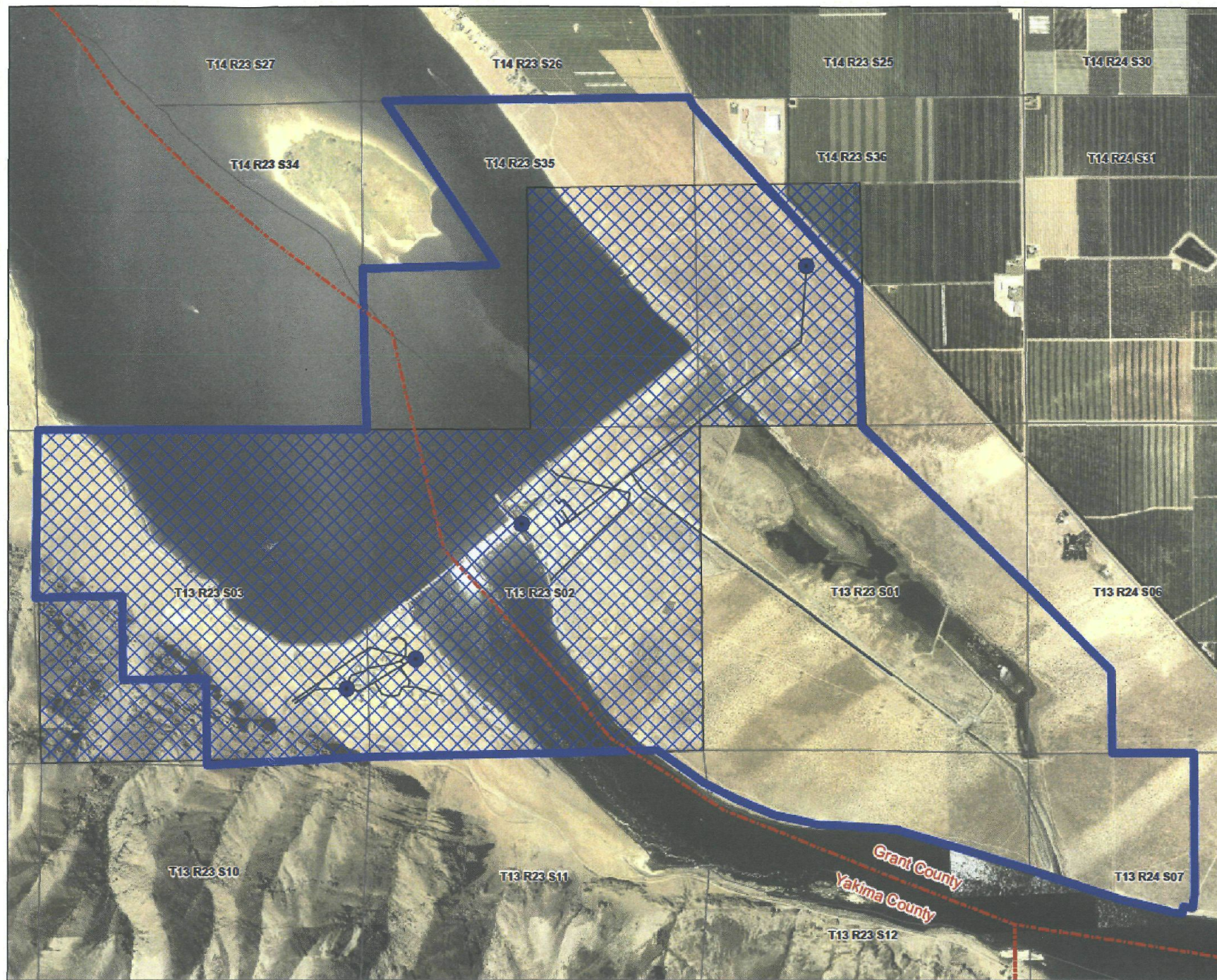


0 1,500 3,000
Feet
1" = 1,500'

DATA SOURCES

Water Rights, Place of Use, Point of Withdrawal:
Washington State Dept. of Ecology.
Parcels: Grant County Assessors/GIS; supplied by Parametrix.
Township, Range, Section: Grant County GIS

This map is a geographic representation based on information available. It does not represent survey data. No warranty is made concerning the accuracy, currency, or completeness of data depicted on this map.



Revised: 9/12/2011 By: ABO J:\Data\G3\01590C\Water Rights Assistance\01590C\Revised\ROE.mxd

Priest Rapids Water Systems Comprehensive Plan Service Area (Place of Use) Written Description

This is a metes and bounds legal description for Grant PUD's Priest Rapids Comprehensive Water System Service Area that is intended to match the boundary as depicted on the map in Attachment A. All dimensions were taken from surveyed or identified boundaries on 1955 License Project Exhibit K Sheets 1, 2, 3, 4 and 19.

Beginning at the northwest corner of Section 3, T. 13 N, R. 23 E. W.M.; then N89°37'10"E approximately 5280 feet to the northeast corner of Section 3, T. 13 N, R. 23 E. W.M.; Then north along the section line of Section 35, T. 14 N., R. 23 E. W.M. to a point that is 2648.90 feet southerly of the northwest corner of that section as measured along the section line bearing S3°12'10"E;

Thence N89°37'10"E 2027.29 feet; Thence N34°01'40"W 3177.98 feet to a point on the north section line of Section 35, T. 14 N., R. 23 E. W.M. that is 396.86 feet from the northwest corner of that section as measured along the section line; Thence N89°38'00"E 4848.19 feet along the north section line of Section 35 to a point on the western right-of-way for State Secondary Highway No. 7-C (now referred to as State Route 243);

Thence following the western right-of-way for State Secondary Highway No. 7-C (State Route 243) S42°11'40"E for approximately 4112 feet to a point where it intersects the eastern boundary of the SW¼ of Section 36, T. 14 N., R. 23 E. W.M.;

Thence S00°29'40"E 2213.88 feet to the south quarter corner of Section 36, T. 14 N., R. 23 E. W.M.; Thence S46°05'20"E 3734.50 feet to the east quarter corner of Section 1, T. 13 N., R. 23 E. W.M.; Thence S45°34'30"E 1876.72 feet to the SE corner of the NW¼ of the SW¼ of Section 6, T. 13 N., R. 24 E. W.M.; Thence S00°44'10"E 1316.30 feet to the NW corner of the SW¼ of the NE¼ of the NW¼ of Section 7, T. 13 N., R. 24 E. W.M.; Thence N89°39'10"E 1305.75 feet along the north section line of Section 7 T. 13 N, R. 24 E. W.M. to the north quarter corner of Section 7, T. 13 N, R. 24 E. W.M.;

Thence S00°13'30"E approximately 2263.77 feet to the NW corner of the USGS Priest Rapids Gaging Station boundary on the Columbia River then following the western boundary of the USGS gaging station at Priest Rapids to the Ordinary High Water Line on the left bank of the Columbia River.

Following the left bank line of ordinary high water generally westerly as follows: N83°17'20"W 117.88 feet; Thence N77°19'40"W 666.10 feet; N71° 47' 10" W 669.84 feet; Thence N72°48'00"W 711.32 feet; Thence N73°06'10"W 2255.65 feet; Thence N87°25'00"W 459.84 feet; Thence N87°05'20"W 780.46 feet; Thence N78°16'50"W 727.60 feet; Thence N67°66'50"W 716.16 feet; Thence N64°02'00"W 539.15 feet; Thence N54°19'00"W 914.11 feet to a point on the south section line of Section 2, T. 13 N, R. 23 E. W.M. that is 735.77 feet from the southeast corner of that section as measured along the section line;

Thence S88°34'50"W 4599.11 feet to the southwest corner Section 2, T. 13 N, R. 23 E. W.M.;

Thence S87°08'50"W 2708.16 feet to the south quarter corner of Section 3, T. 13 N, R. 23 E. W.M.;

Thence N00°48'50"E 1374.24 feet; thence S87°36'20"W 1349.91 feet; then N00°57'50"E 1351.23 feet; thence S88°03'50"W 1345.92 feet to the west quarter corner of Section 3, T. 13 N, R. 23 E. W.M.; Thence N01°06'30"E 2785.76 feet to the northwest corner of Section 3, T. 13 N, R. 23 E. W.M., which is the true point of beginning.